

BOARD OF ZONING APPEALS MEETING

A G E N D A

TOWN OF CHINCOTEAGUE

January 10, 2008 - 7:30 P.M. – Council Chambers - Town Hall

CALL TO ORDER

AGENDA ADOPTION:

-
1. Approval of Minutes of November 8, 2007
 2. Public Participation
 3. Appeal 08-01-1. Peter & Erika Bale, Variance to construct a deck to the front of their residence. The deck will be 11' from the front lot line. Zoning requires a minimum 16' 6" front yard setback.
 4. Election of Officers

ADJOURN:

MINUTES OF THE MEETING NOVEMBER 8, 2007
CHINCOTEAGUE BOARD OF ZONING APPEALS

MEMBERS PRESENT:

Mr. Arthur Leonard
Mr. Jessi Speidel
Mr. Myron Birch
Mr. Donald Thornton
Mr. Jack Gilliss
Mr. Robert Cherrix
Kenny L. Lewis, Staff Support

MEMBERS ABSENT:

1. Call to Order

Mr. Leonard called the meeting to order at 7:30 pm.

2. Approval of Minutes of Meeting Held June 14, 2007

Mr. Birch motioned, seconded by Mr. Speidel, to approve the minutes as presented. The motion was unanimously approved.

3. Appeal 07-11-1 A request from Betty Mullins, 3148 Main Street, for a variance from Article 3, section 3.9.3 (1) of the Town of Chincoteague's Zoning Ordinance. The petitioner wishes to construct a 12' x 10' sunroom and a 5' x 10' deck along the south side of her residence. The structure will be placed 6' from the side lot line. Current zoning requires a minimum 10' side yard setback. This property is zoned Residential District R-3.

4. Board Action on Appeal

Mr. Birch motioned, seconded by Mr. Leonard to approve the request.

Voting to approve the request: Mr. McGee, Mr. Birch, Mr. Gilliss & Mr. Leonard.

Voting against approval: Mr. Thornton, Mr. Speidel and Mr. Cherrix.

Motion approved. Variance granted.

5. Adjournment

Mr. Leonard adjourned the meeting.

Arthur Leonard, Chairman

12/17/07
FAXED
December 17, 2007

Eastern Shore Post
P.O. Box 318
Tasley, VA 23441

Dear Sirs:

The Town of Chincoteague request the following notice of public hearing be published in the Eastern Shore Post on Wednesday December 26, 2007 and Wednesday January 2, 2008:

Public Notice

The Board of Zoning Appeals of the Town of Chincoteague will hold a public hearing on January 10, 2008 at 7:30 p.m. in the Council Chambers located at 6150 Community Drive to receive public comments and views on the following zoning matter(s):

Appeal 08-01-1 A request from Peter & Erika Bale, 6327 Cleveland Street, for a variance from Article 3, section 3.9.2 of the Town of Chincoteague's Zoning Ordinance. The petitioner wishes to construct a 6' x 24' deck to the front of above residence. The structure will be placed 11' from the front lot line. Current zoning requires a minimum 16' 6" front yard setback. This property is zoned Residential District R-3.

Kenny L. Lewis
Zoning Administrator

CHINCOTEAGUE, VIRGINIA
APPEAL TO THE
BOARD OF ZONING APPEALS

Pl
12/17/07
450
JK

APPEAL CASE NUMBER: 08-01-1

FEE: \$ 450.00

I, Peter & Erika Bale,

AGENT FOR SELF WOULD LIKE TO FILE THE
FOLLOWING APPEAL WITH THE BOARD OF ZONING APPEALS BASED UPON THE NOTED
STATE CODE(S):

TITLE 15.2, CODE OF VIRGINIA, 1959 (AS AMENDED)

(CHECK ALL THAT APPLY)

1. () AN APPEAL OF AN OFFICER, REQUIREMENT, DECISION OR DETERMINATION
OF AN ADMINISTRATIVE OFFICER.
2. () AN APPEAL OF A DECISION OF THE ZONING ADMINISTRATOR.
3. () AN INTERPRETATION OF THE DISTRICT ZONING MAP, IN THAT THERE IS AN
UNCERTAINTY AS TO THE LOCATION OF A DISTRICT BOUNDARY.
4. (X) AN APPEAL FOR A VARIANCE. THE APPLICANT IS REQUIRED TO SHOW THAT
A LAND USE HARDSHIP EXIST. SEE ATTACHED EXAMPLE SHEET FOR
HARDSHIP CRITERIA.
5. () AN APPEAL FOR A VARIANCE OF THE FLOOD PLAIN MANAGEMENT
ORDINANCE

BOARD OF ZONING APPEALS USE ONLY:

MEETING DATE: 1/10/08

APPEAL ACTION:

() APPROVED

() DENIED

() CONDITIONAL: _____

BZA, SECRETARY

DATE: _____

12/17/07

RULES AND REGULATIONS TO FILE FOR APPEAL:

(A). APPLICANTS OR THEIR AGENTS SHALL NOT CONTACT ANY BOARD MEMBER TO DISCUSS THE CASE PRIOR TO THE SCHEDULED PUBLIC HEARING OF THEIR APPEAL.

(B). FAILURE OF APPLICANT OR AGENT TO APPEAR BEFORE THE BOARD MAY BE REASON FOR DENIAL.

(C). APPLICANT MUST POST APPEAL NOTICE FURNISHED BY THE ZONING ADMINISTRATOR ON SAID PROPERTY, VISIBLE FROM THE STREET.

(D). APPLICANT SHALL SUBMIT A PLOT PLAN, TO SCALE, OF THE SAID PROPERTY IDENTIFYING THE FOLLOWING:

1. ALL EXISTING STRUCTURES LOCATED ON SAID PROPERTY.
2. PROPOSED NEW STRUCTURES.
3. SETBACKS FROM FRONT, SIDES AND REAR PROPERTY LINES.
4. LOCATION OF EXISTING SEPTIC, DRAIN FIELDS OR CESSPOOLS.
5. LOCATION OF EASEMENTS, RIGHT-OF-WAYS AND PUBLIC ROADS THAT ADJOIN OR ENTER SAID PROPERTY.

(E). THE CHINCOTEAGUE BOARD OF ZONING APPEALS HAS SEVEN (7) MEMBERS. TO OBTAIN APPROVAL FOR A VARIANCE OR SPECIAL USE PERMIT, FOUR (4) MEMBERS MUST VOTE IN YOUR FAVOR.

(F). ANY DECISION OF THE BOARD OF ZONING APPEALS MAY BE APPEALED TO THE CIRCUIT COURT OF ACCOMACK COUNTY WITHIN 30 DAYS OF RECEIPT OF THE DECISION MADE.

(G). THE BZA MAY IMPOSE SUCH CONDITIONS REGARDING THE LOCATION, CHARACTER AND OTHER FEATURES OF THE PROPOSED STRUCTURE OR USE AS IT MAY DEEM NECESSARY IN THE PUBLIC INTEREST.

(2.) NOTIFICATION OF PROPERTY OWNERS:

ALL APPLICATIONS SHALL BE ACCOMPANIED BY WRITTEN COMMENTS FROM OWNERS OF REAL ESTATE AS FOLLOWS:

(A). VARIANCE:

APPLICANTS SHALL SUBMIT WRITTEN COMMENTS FROM ALL ADJOINING PROPERTY OWNERS INCLUDING THE PROPERTY OWNERS ACROSS THE STREET(S) OR ACROSS BODIES OF WATERS ADJACENT TO OR DIVIDING TWO PROPERTIES. THE BZA MAY REQUIRE THE APPLICANT TO SUBMIT WRITTEN COMMENTS FROM ADDITIONAL PROPERTY OWNERS.

(B). WRITTEN NOTIFICATION OF APPEAL:

PROPERTY OWNERS NOT AVAILABLE FOR WRITTEN COMMENT SHALL BE NOTIFIED OF THE PROPOSED REQUEST BY CERTIFIED MAIL.

A COPY OF THE REGISTERED MAIL AND THE CERTIFIED MAIL RECEIPT MUST BE SUBMITTED AT THE TIME OF FILING THE APPEAL.

RETURN RECEIPT OF THE CERTIFIED MAIL MUST BE GIVEN TO THE ZONING ADMINISTRATOR A MINIMUM OF 5 DAYS PRIOR TO THE MEETING DATE.

PLEASE PRINT

THE PROPERTY IN WHICH THIS APPEAL IS SUBMITTED IS LOCATED AT (911 ADDRESS)

6327 CLEVELAND ST.

TAX MAP #

30A5-19-36

THIS PROPERTY IS OWNED BY:

NAME: Peter & Erika Bale

ADDRESS: 6327 CLEVELAND ST.

CITY, STATE, ZIP: Chincoteague VA 23336

PHONE: 757-336-1543

WORK PHONE: _____

HAS ANY PREVIOUS APPLICATION OR APPEAL BEEN FILED IN CONNECTION WITH THESE PREMISES?

(☒) NO, Not to our knowledge.

() YES, EXPLAIN; _____

IS THIS APPEAL FILED DUE TO A ZONING VIOLATION IDENTIFIED BY THE ZONING ADMINISTRATOR?

(☒) NO

() YES, IF THE VIOLATION HAS NOT BEEN CORRECTED,
EXPLAIN WHY; _____

ARTICLE(S) AND SECTION(S) THAT APPLIES TO YOUR APPEAL:

(1.) ARTICLE: 3 SECTION: 3.9.2
REQUIRES: ZONING Requires 16.6" FRONT YARD SETBACK
REASON FOR YOUR APPEAL: NEW deck will be 11' FROM FRONT LOT LINE.

(2.) ARTICLE: _____ SECTION: _____
REQUIRES: _____
REASON FOR YOUR APPEAL: _____

(3.) ARTICLE: _____ SECTION: _____
REQUIRES: _____
REASON FOR YOUR APPEAL: _____

GUIDELINES USED BY THE BOARD OF ZONING APPEALS IN GRANTING A VARIANCE

In order for the Board of Zoning Appeals to review your request for a variance, the threshold question for the BZA in considering an application for a variance "is whether the effect of the zoning ordinance upon the property under consideration, as it stands, interferes with all reasonable beneficial uses of the property, taken as a whole". If the answer is in the negative, the BZA has no authority to go further.

- ☒ yes
☐ no

Please answer the following questions:

(1). Does the strict application of the ordinance result in unnecessary or unreasonable hardship to the property owner?

- ☒ yes, Explain;

See Annexure A

- ☐ no

(2). Is the need for the variance shared generally by other properties?

- ☒ yes, Explain;

See Annexure A

- ☐ no

(3). Is the variance contrary to the intended spirit and purpose of the ordinance, and would result in substantial justice being done.

- ☒ yes, Explain;

See Annexure A

- ☐ no

All of the above questions must be answered. Failure to complete the above questions shall result in your application not being processed.

Annexure A
Appeal to the
Board of Zoning Appeals
CHINCOTEAGUE, VIRGINIA

1. Yes, we believe the strict application of the ordinance would result in unreasonable hardship for the owners. The major reason for building this proposed porch is to give us a security buffer from the sidewalk as we have had incidents of people looking into our window without cause. This proposed porch would give us peace of mind that any intruder or unwanted person wanting to look in our front window (which looks through most of our living area) would have to first climb onto the proposed porch thereby alerting us to their presence. The short distance of 6 ft from the window to the rail of the proposed porch gives us extra physical distance from our front yard. Normal street activity would also be masked by the proposed railing and raised level of the porch. The existing landing and stairs currently comes out some 6ft just enough room to open our front glass door. The variance we are requesting is just as far as the current landing and stairs. The proposed porch will also extend 17ft to the window of the bedroom at the front of the house also providing the bedroom with added security. Enforcing this ordinance as it stands denies the owners the right to privacy and protection of our home from the street. ~~As the zoning regulations prohibit a fence any further forward than 15ft there is no other option open to the owner to provide security from the street, to the front of the house.~~
2. Yes. The need for the variance is generally shared by other properties especially in the "old town" area of Chincoteague. Many of these homes were built long before this zoning ordinance applied. On Cleveland Street alone 90% of the homes do not comply with the current ordinance of 25ft setback from the front lot line – see *Annexure B* attached. At least 1/3 are equal or less than our proposed setback. We understand that the Town of Chincoteague wants to keep homes "off the sidewalk" but considering that most of these homes started closer to the street, it seems unreasonable to enforce such an ordinance in the old town area. Our own current setback is within the majority that is not code. The proposed porch will only extend as far as the existing landing and stairs.
3. The variance is contrary to the intended spirit and purpose of the ordinance in that we are not asking for something unreasonable noting the other homes in our street and the old town area of Chincoteague. After measuring the setback of homes in Cleveland Street we found the following:
 - a. Virtually no homes comply with the current ordinance (10%);
 - b. 30% of homes are 11ft or less – the setback we are requesting;
 - c. The average of non-code (90%) is 14.4ft;
 - d. The average of equal or less than our request (30%) is 10.9ft;

We believe that substantial justice would be served by granting the variance as

- a. Most of the homes (90%) in our street already do not comply.
- b. The protrusion from the front of the home would not affect the street as we already have stairs and a landing that are out 6ft - as far as the proposed porch.
- c. Our family home would be given security/protection from the already close proximity of the sidewalk foot traffic.

PLEASE INDICATE YOUR APPROVAL OR DISAPPROVAL OF THE PROPOSED LAND USE AS
STATED IN THE APPLICATION BY CHECKING THE APPROPRIATE SPACE. SPECIFY THE
LOCATION OF YOUR PROPERTY; NORTH, EAST, SOUTH OR WEST OF THE APPLICANTS
PROPERTY.

TAX MAP #	<u>30A5-19-35</u>	LOCATION OF PROPERTY	<u>EAST</u>
NAME:	<u>Jeff & Linda Zielinski</u>		
ADDRESS:	<u>212 S. IRVING ST ARLINGTON</u>	VA 22204	PHONE: _____
COMMENTS:	_____		
<input type="checkbox"/> APPROVE REQUEST		<input type="checkbox"/> DISAPPROVE REQUEST	
SIGNATURE:	_____	DATE:	_____

TAX MAP #	<u>30A5-19-39</u>	LOCATION OF PROPERTY	<u>WEST</u>
NAME:	<u>DIANA HAMPTON</u>		
ADDRESS:	<u>6375 TAMARACK TRAIL CUMMING GA</u>	30040	PHONE: _____
COMMENTS:	_____		
<input type="checkbox"/> APPROVE REQUEST		<input type="checkbox"/> DISAPPROVE REQUEST	
SIGNATURE:	_____	DATE:	_____

TAX MAP #	<u>30A5-19-13</u>	LOCATION OF PROPERTY	<u>NORTH</u>
NAME:	<u>LOUIS & JOYCE LAWSON</u>		
ADDRESS:	<u>6294 MUMFORD ST. CHINCOTEAGO</u>	VA	PHONE: _____
COMMENTS:	_____		
<input type="checkbox"/> APPROVE REQUEST		<input type="checkbox"/> DISAPPROVE REQUEST	
SIGNATURE:	_____	DATE:	_____

TAX MAP # 30A5-19-14 LOCATION OF PROPERTY NORTH EAST
NAME: DAVID & LAUREL TANIER
ADDRESS: 3535 Ainslie ST. Philadelphia PHONE: PA 19129
COMMENTS: _____
() APPROVE REQUEST () DISAPPROVE REQUEST
SIGNATURE: _____ DATE: _____

TAX MAP # 30A5-A-512 LOCATION OF PROPERTY SOUTH EAST
NAME: HELEN SPAMEK
ADDRESS: 6326 CLEVELAND ST CHINCOTEAGUE VA PHONE: _____
COMMENTS: _____
() APPROVE REQUEST () DISAPPROVE REQUEST
SIGNATURE: _____ DATE: _____

TAX MAP # 30A5-A-511 LOCATION OF PROPERTY SOUTH WEST
NAME: ROBERT & LORNA SHENDOCK
ADDRESS: 6322 CLEVELAND ST. CHINCOTEAGUE VA PHONE: _____
COMMENTS: _____
() APPROVE REQUEST () DISAPPROVE REQUEST
SIGNATURE: _____ DATE: _____

TAX MAP # _____ LOCATION OF PROPERTY _____
NAME: _____
ADDRESS: _____ PHONE: _____
COMMENTS: _____
() APPROVE REQUEST () DISAPPROVE REQUEST
SIGNATURE: _____ DATE: _____

November 17, 2007

CERTIFIED MAIL

Dear Neighbor:

This notice is to advise you that I will be appearing before the Chincoteague Board of Zoning Appeals to request a variance from Article 3 section 3.9.2 of the Town's Zoning Ordinance.

I would like to construct a deck to the front of my residence located at 6327 Cleveland Street Street.

The deck will be placed 11' from my front lot line. Current zoning requires the addition be placed a minimum of 16' 6" from the front lot line.

As a property owner adjoining my parcel, the Board of Zoning Appeals requires that you be notified of this request.

Please complete the enclosed notification form and return it to: Kenny L. Lewis, Zoning Administrator, Town of Chincoteague, 6150 Community Drive, Chincoteague Island VA 23336.

The meeting will be held on January 10, 2008 at 7:30 p.m. in the Council chambers located at the above address.

You may contact me at 757-336-1543 or Kenny L. Lewis, Zoning Administrator for the Town of Chincoteague at 757-336-6519 if you have any questions or concerns regarding this matter.

Your attention in responding to this request is appreciated.

Sincerely,

Peter & Erika Bale

7007 0710 0002 4945 1641

U.S. Postal Service™
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For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$	15.21	06	Postmark Here
Certified Fee		02.35		
Return Receipt Fee (Endorsement Required)		02.35		
Restricted Delivery Fee (Endorsement Required)		10.00		
Total Postage & Fees	\$	15.21	12/04/2007	

Sent To **Mr D & Mrs L Tanier**
 Street, Apt. No., or PO Box No. **3535 Ainslie Street**
 City, State, ZIP+4 **Philadelphia PA 19129**
 PS Form 3800, August 2005 See Reverse for Instructions

7007 0710 0002 4945 4994

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Certified Fee		02.35		
Return Receipt Fee (Endorsement Required)		02.35		
Restricted Delivery Fee (Endorsement Required)		10.00		
Total Postage & Fees	\$	15.21	12/04/2007	

Sent To **Mr R & Mrs L Shendock**
 Street, Apt. No., or PO Box No. **6322 Cleveland St**
 City, State, ZIP+4 **Chincoteague VA 23336**
 PS Form 3800, August 2005 See Reverse for Instructions

7004 1350 0003 0016 0969

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Certified Fee		02.35		
Return Receipt Fee (Endorsement Required)		02.35		
Restricted Delivery Fee (Endorsement Required)		10.00		
Total Postage & Fees	\$	15.21	12/04/2007	

Sent To **Mr L & Mrs J Lawson**
 Street, Apt. No., or PO Box No. **6294 Mumford Street**
 City, State, ZIP+4 **Chincoteague VA 23336**
 PS Form 3800, June 2002 See Reverse for Instructions

7004 1350 0003 0016 1009

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OFFICIAL USE

Postage	\$	15.21	06	Postmark Here
Certified Fee		02.35		
Return Receipt Fee (Endorsement Required)		02.35		
Restricted Delivery Fee (Endorsement Required)		10.00		
Total Postage & Fees	\$	15.21	12/04/2007	

Sent To **Mr & Mrs L Zielinski**
 Street, Apt. No., or PO Box No. **212 S. Irving Street**
 City, State, ZIP+4 **Arlington VA 22204**
 PS Form 3800, June 2002 See Reverse for Instructions

4 1350 0003 0016 0996

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OFFICIAL USE

Postage	\$	15.21	06	Postmark Here
Certified Fee		02.35		
Return Receipt Fee (Endorsement Required)		02.35		
Restricted Delivery Fee (Endorsement Required)		10.00		
Total Postage & Fees	\$	15.21	12/04/2007	

Sent To **Ms D Hampton**
 Street, Apt. No., or PO Box No. **6375 Tamarack Trail**
 City, State, ZIP+4 **Cumming GA 30040**
 PS Form 3800, June 2002 See Reverse for Instructions

7004 1350 0003 0016 0972

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 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$	15.21	06	Postmark Here
Certified Fee		02.35		
Return Receipt Fee (Endorsement Required)		02.35		
Restricted Delivery Fee (Endorsement Required)		10.00		
Total Postage & Fees	\$	15.21	12/04/2007	

Sent To **Ms H Spamek**
 Street, Apt. No., or PO Box No. **6326 Cleveland St**
 City, State, ZIP+4 **Chincoteague VA 23336**
 PS Form 3800, June 2002 See Reverse for Instructions

TAX MAP # 30A5-A-511 LOCATION OF PROPERTY SOUTH WEST
NAME: Robert & Lorna Shendock
ADDRESS: 6322 Cleveland St. Chincoteague VA PHONE: _____
COMMENTS: THINK IT WILL IMPROVE THE APPEARANCE OF THE HOUSE
(X) APPROVE REQUEST () DISAPPROVE REQUEST
SIGNATURE: Robert Shendock DATE: 12/15/07

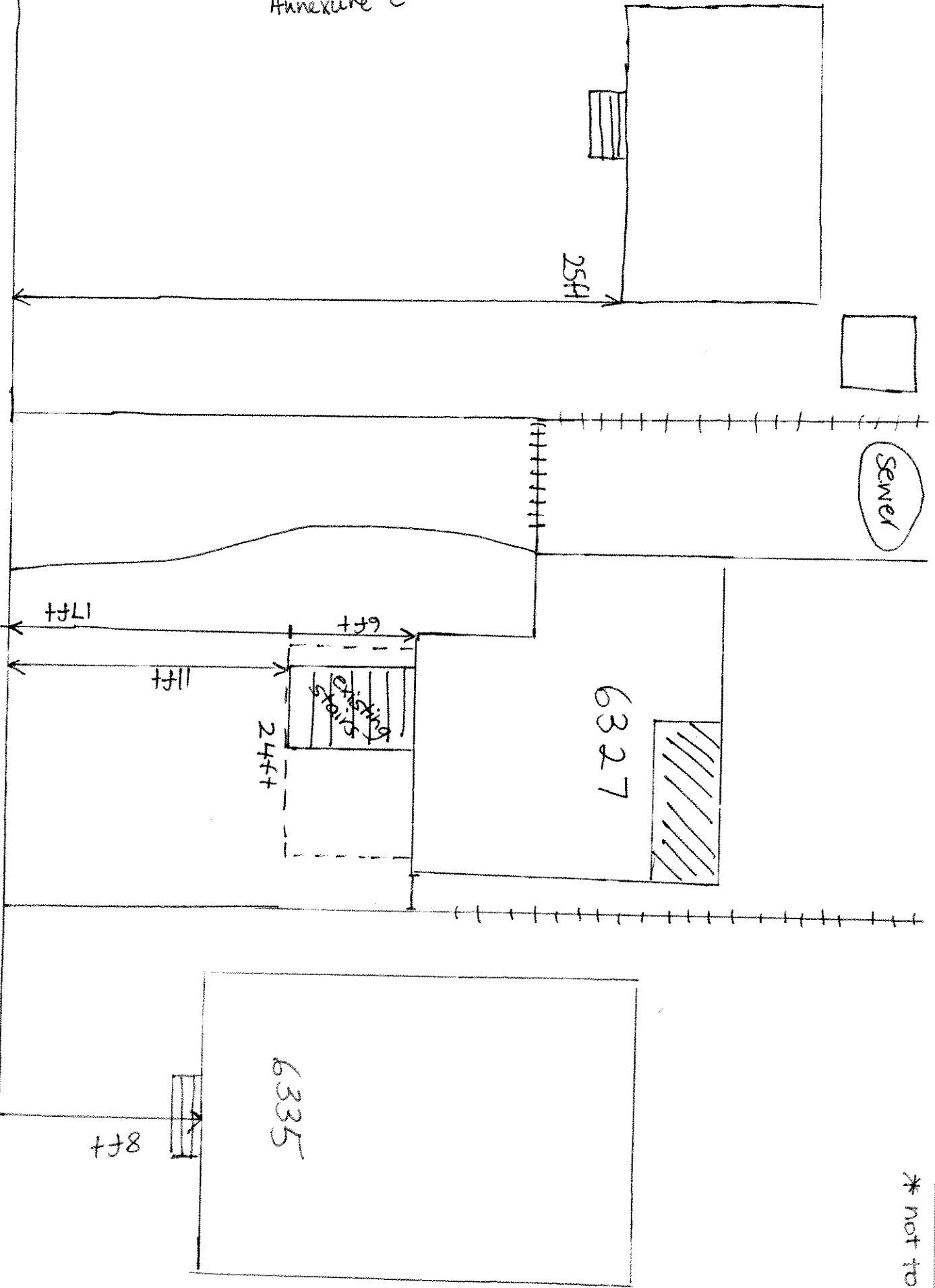
TAX MAP # 30A5-19-35 LOCATION OF PROPERTY EAST
NAME: Jeff & Linda Zielinski
ADDRESS: 212 S. IRVING ST ARLINGTON VA 22204 PHONE: _____
COMMENTS: _____
(X) APPROVE REQUEST () DISAPPROVE REQUEST
SIGNATURE: Jeff Zielinski DATE: 12/13/07



Annexure "C"

CLEVELAND ST

sidewalk



* not to scale

6276	7.5
6282	8.5
6286	11
6292	12
6298	13.5
yellow/blue	7
mike's	CODE
nancy r charlie	217.5
6322 Shendock	20
6326 Snamek	22
6332	18.5
6338	12.5
6342	17
	15.5
6358	15
6362	9.5
derelict	13

sidewalk

Annexure "B"

CLEVELAND
STREET

sidewalk

Carpark Fresh Pride	
24.5	6299 Howard
21.5	6305
CODE	
11	6327 Bale
17	6335 Zielinski
8	6343
16	6347
9	6353
16	6363
CODE	
15	6367

Key

■ **CODE**

■ Non-code
> 11ft

■ Non code
= or < 11ft

Peter & Erika Bale
6327 Cleveland St
Chincoteague VA 23336
334-1543

Town of Chincoteague Inc.
6150 Community Drive
Chincoteague Island VA 23336.

November 9th, 2007

Attn: Mr Kenny Lewis.

Re: Application to construct deck at front.

We refer to your letter dated October, 18 2007 denying our application to construct a deck to the front of our residence.

We note your reference to current zoning requirements, however respectfully request that you dispense with such requirements in this case as we are concerned for the safety and well-being of our family due to the close proximity of our residence to the street. The proposed deck would provide protection and privacy to the front of our residence.

We assume that this application will be reviewed by the Board of Zoning Appeals.

Yours sincerely,
P/Bale.



TOWN OF CHINCOTEAGUE DECK PERMIT

PERMIT NUMBER _____ PERMIT FEE \$ _____

PROPERTY OWNER/TENANT: PETE & ERICA BALE PHONE # 336 1543

ADDRESS: 6327 Cleveland Street, Chincoteague VA 23336

CONTRACTOR: MUTH CARPENTRY PHONE # 336 1011

ADDRESS: P.O. Box 98, 7885 EAST SIDE DRIVE, Chincoteague VA 23336

LOCATION OF WORK: 6327 Cleveland Street

COST OF CONSTRUCTION: \$ 4,000.00 SIZE OF DECK: 6' x 24'

SPECIFICATIONS:

- (1). MASONRY PIERS: PIER FOOTER SIZE: _____ X _____, FOOTER THICKNESS: _____",
FOOTER DEPTH: 18", PIER SIZE: 18" X 18", PIER SPACING: 6',
- (2). WOOD FOUNDATIONS: MATERIAL: "SALT" 6x6, WOOD TREATMENT: (Y) ☒ (N) _____
DIAMETER 6' X 6, DEPTH IN GROUND FOOTER " , SPACING 6',
- (3). FLOOR JOIST: MATERIAL: SALT, SIZE: 2" X 10", SPACING 16" OC, SPAN: 6',
FLOOR BEAMS: MATERIAL: SALT, SIZE: 2" X 10", LOCATION: 6' off house
- (4). HANDRAIL SYSTEM: HEIGHT FROM GRADE TO SUBFLOOR: @30", HEIGHT FROM,
FLOOR TO TOP OF HANDRAIL: 36 ", HANDRAIL MATERIAL: WOOD RAIL w/ 2x2 pickets
"Salt"



TOWN OF CHINCOTEAGUE, INC.

AFFIDAVIT


I, PETER BAILE

OF (ADDRESS) 6327 CLEVELAND STREET

AFFIRM THAT I AM THE OWNER OR AGENT FOR THE OWNER OF A
CERTAIN TRACT OR PARCEL OF LAND LOCATED AT :

6327 CLEVELAND STREET

AND THAT I HAVE APPLIED FOR A BUILDING PERMIT. I AFFIRM THAT I
AM FAMILIAR WITH THE PREREQUISITES OF SECTION 54.1-1111 OF THE
CODE OF VIRGINIA AND I AM NOT SUBJECT TO LICENSURE AS A
CONTRACTOR OR SUBCONTRACTOR.

SIGNED AND ACKNOWLEDGED BY PETER BAILE 
IN THE TOWN OF CHINCOTEAGUE, VIRGINIA ON THE 11 DAY OF
SEPTEMBER, 2007 IN THE PRESENCE OF THE UNDERSIGNED
WITNESS.

 (WITNESS)

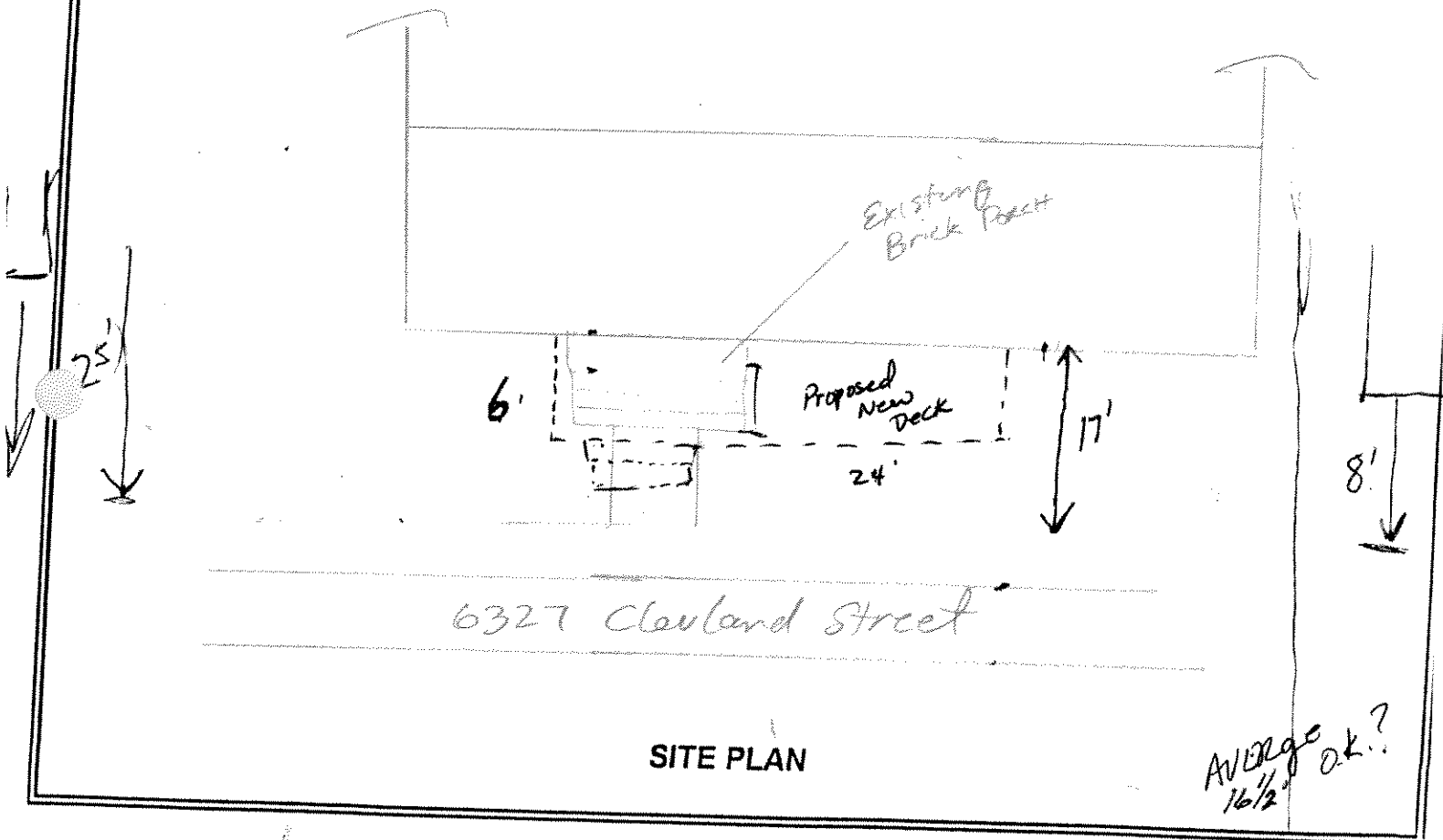
54.1111. Prerequisites to obtaining building permits – Any person applying to the building inspector or any authority of a city, county or town in this Commonwealth, charged with the duty of issuing building or other permits for the construction of any building, highway, sewer, or structure, or any removal, grading or improvement shall furnish prior to the issuance of the permit, either satisfactory proof to such inspector or authority that he is fully licensed or registered under the terms of this chapter to carry out or superintend the same, or file a written statement, supported by an affidavit, that he is not subject to licensure or registration as a contractor or subcontractor pursuant to this chapter. The applicant shall also furnish satisfactory proof that the taxes or license required by any city, town or county have been paid so as to be qualified to bid upon or contract for the work for which the permit has been applied.

It shall be unlawful for the building inspector or other authority to issue or allow the issuance of such permits unless the applicant has furnished evidence of being either exempt from the provisions of this chapter or licensed or registered under this chapter to carry out or superintend the work for which permits have been applied.

(Total project \$1,000.00 - \$7,499.00 **Class C**) (Total project \$7,500.00 - \$69,999.00 **Class B**)
(Total project \$70,000.00 or more **Class A**)

The building inspector, or other such authority, violating the terms of this section shall be guilty of a Class 3 misdemeanor. (Code 1950, 54-138; 1970, c. 319; 1980, c.634; 1988, c. 765)

SHOW LOCATION OF EXISTING STRUCTURES WITH SOLID LINES AND IDENTIFY NEW DEC WITH DOTTED LINES ALONG WITH SETBACKS FROM THE FRONT, SIDES AND REAR PROPERTY LINES.



APPLICANT (PRINT): Tripp Muth

APPLICANT (SIGNATURE): Tripp Muth

BUILDING DEPARTMENT:

APPROVED/DENIED: BUILDING OFFICIAL _____

DATE: _____



TOWN OF CHINCOTEAGUE, INC.

October 18, 2007

Pete & Erica Bale
6327 Cleveland Street
Chincoteague Island VA 23336

RE: Deck Permit Application

Dear Mr. & Mrs. Bale:

I have reviewed your building permit application to construct a deck to the front of your residence located at the above address.

Current zoning requires that the new deck be placed a minimum of 25 feet from your front lot line or the average of the structures on either side. The average of such structures is 16.5 feet. Upon review of your site plan for this project, the proposed deck will be placed only 11 feet from the front lot line.

Therefore your application is denied.

You have the right to appeal this decision or apply for a variance with the Board of Zoning Appeals if you so desire. Such appeal must be submitted within 30 days of this notice. Failure to appeal within the 30 days voids such right.

If you have any questions regarding the matter please give me a call.

Sincerely,

Kenny L. Lewis
Zoning Administrator